

ORIGINAL



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**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE
APPLICATION OF ARIZONA PUBLIC
SERVICE COMPANY, IN
CONFORMANCE WITH THE
REQUIREMENT OF ARIZONA REVISED
STATUTES §§ 40-360, *et seq.*, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING THE
TS-5 TO TS-9 500/230kV
TRANSMISSION LINE PROJECT,
WHICH ORIGINATES AT THE FUTURE
TS-5 SUBSTATION, LOCATED IN THE
WEST HALF OF SECTION 29,
TOWNSHIP 4 NORTH, RANGE 4 WEST
AND TERMINATES AT THE FUTURE
TS-9 SUBSTATION, LOCATED IN
SECTION 33, TOWNSHIP 6 NORTH,
RANGE 1 EAST, IN MARICOPA
COUNTY, ARIZONA

DOCKET NO. L-00000D-08-0330-00138

CASE NO. 138

**JOINT PROPOSAL TO PARTITION
LINE SITING HEARING**

Arizona Corporation Commission

DOCKETED

AUG 15 2008

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City of Peoria, Vistancia, LLC, City of Surprise, Vistancia Associations, DLGC II, LLC and Lake Pleasant Group, LLP, Diamond Ventures, Inc., Elliott Homes, Inc., Woodside Homes of Arizona, Inc., Surprise Grand Vista JV I, LLC, LP 107, LLC, Quintero Community Association, Inc. and Quintero Golf & Country Club, LLC, ("Quintero Association"), and Sun Haven Associates, LLC, Sun Haven I, L.C.C. and 203 Properties, L.C.C., ("Sun Haven Property Owners"), (collectively, "the Joint Parties") jointly file this proposal to partition the hearing in this matter in order to facilitate an organized presentation of cases, and to allow parties who are interested in particular portions of the line or particular issues to participate at times when the particular portions of the line or particular issues of interest to them are being discussed. The Joint Parties propose partitioning the hearing as follows:

- 1) APS's entire direct case will be presented at the outset of the hearing, and cross examination by all parties regarding all segments of its Proposed Route and Alternative Routes will take place as each of APS's witnesses is presented.
- 2) Subsequent to APS's presentation of its direct case, the hearing will progress based on three distinct geographic partitions. The three partitions are as follows:
- Partition A: From the beginning of the line at TS- 5 to milepost 16.2, including segments 1 and 2 of the Proposed Route, and Alternative Route #1.
- Partition B: From milepost 16.2 to the 179th Avenue alignment, including segments 3 and 4 of the Proposed Route, and Alternative Route #2.
- Partition C: from the 179th Avenue alignment to the end of the line at TS-9, including segments 4¹ and 5 of the Proposed Route, and Alternative Route #3.
- 3) The partitioning of the hearing is not meant to extend the hearing's duration, and the parties understand that if one Partition ends, the following partition may begin on the same day with no or minimal recess between Partitions.
- 4) Because the Arizona State Land Department holds property in all Partitions, but may only take a position during the hearing regarding routing in Partition B, its witness(es) will be presented during Partition B, but may be cross examined about all Partitions at that time.
- 5) ACC Staff will present all its direct testimony regarding all Partitions after all other intervenors have presented their direct cases. Cross examination of the

¹ Segment 4 of the Proposed Route is included in both Partitions B and C because the necessity for this segment is dependent on the routing selected for other portions of the line to the east and west of 179th Avenue. Thus, parties who are interested in routing at other points of both Partition B and C may wish to present evidence regarding Segment 4 of the Proposed Route.

1 ACC Staff witnesses will be permitted regarding all Partitions at that time.


2 6) After all intervenors have presented their direct cases, APS may present rebuttal
3 witnesses regarding any or all aspects of the line without regard to Partitions.

4 Arizona Public Service Company has indicated that it has no objections to this
5 Joint Proposal.

6 Therefore, the Joint Parties request that the hearing in this matter be Partitioned as
7 described above.

8 Dated this 15th day of August, 2008.

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& LEWIS, P.L.L.C.

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1 Dated this 15th day of August, 2008.

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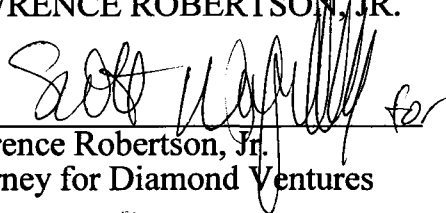
23 Dated this 15th day of August, 2008.

24 CITY OF PEORIA

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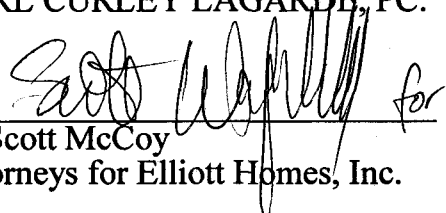
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1 Pursuant to A.A.C. R14-3-204,
2 the Original and 25 copies were filed this
3 5 day of August, 2008, with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington Street
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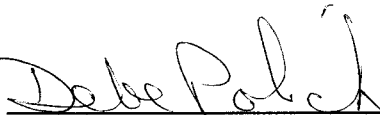
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